

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 474, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 9-14-3-0.3 IS ADDED TO THE INDIANA CODE
- 3 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2001]: **Sec. 0.3. As used in this chapter, "digital signature" has**
- 5 **the meaning set forth in IC 5-24-2-1.**
- 6 SECTION 2. IC 9-14-3-0.5 IS ADDED TO THE INDIANA CODE
- 7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2001]: **Sec. 0.5. As used in this chapter, "electronic record" has**
- 9 **the meaning set forth in IC 26--2-8-102(7).**
- 10 SECTION 3. IC 9-14-3-0.5 IS ADDED TO THE INDIANA CODE
- 11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 12 1, 2001]: **Sec. 0.5. As used in this chapter, "electronic signature"**
- 13 **has the meaning set forth in IC 26--2-8-102(8).**
- 14 SECTION 4. IC 9-14-3-4 IS AMENDED TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The bureau shall prepare and
- 16 deliver, upon request and payment of the fees prescribed in
- 17 IC 9-29-2-1, a certified copy of any record of the bureau that is not
- 18 otherwise declared by law to be confidential.
- 19 (b) A certified copy of a record obtained under subsection (a) is
- 20 admissible in a court proceeding as if the copy were the original.
- 21 (c) **An electronic record of the bureau obtained from the bureau**
- 22 **by digital signature that bears an electronic signature is admissible**
- 23 **in a court proceeding as if the copy were the original.**
- 24 SECTION 5. IC 9-14-3-7 IS AMENDED TO READ AS FOLLOWS
- 25 [EFFECTIVE JULY 1, 2001]: Sec. 7. (a) The bureau shall maintain an
- 26 operating record for each person licensed by the bureau to drive a

1 motor vehicle.

2 (b) An operating record must contain the following:

3 (1) A person's convictions for any of the following:

4 (A) A moving traffic violation.

5 (B) Operating a vehicle without financial responsibility in
6 violation of IC 9-25.

7 (2) Any administrative penalty imposed by the bureau.

8 (3) If the driving privileges of a person have been suspended or
9 revoked by the bureau, an entry in the record stating that a notice
10 of suspension or revocation was mailed by the bureau and the date
11 of the mailing of the notice.

12 (4) Any suspensions, revocations, or reinstatements of a person's
13 driving privileges, license, or permit.

14 (c) An entry in the operating record of a defendant stating that
15 notice of suspension or revocation was mailed by the bureau to the
16 defendant constitutes prima facie evidence that the notice was mailed
17 to the defendant's address as shown in the official driving record.

18 ~~(d) Upon request and payment of a fee prescribed in IC 9-29-2-4,~~
19 ~~the bureau shall furnish any person a certified abstract of the operating~~
20 ~~record of a person subject to this chapter. The abstract must fully~~
21 ~~designate the motor vehicles, if any, registered in the name of the~~
22 ~~person. If there is no record of any conviction of the person of a~~
23 ~~violation of any statute relating to the operation of a motor vehicle or~~
24 ~~of any injury or damage caused by the person as provided in this~~
25 ~~chapter, the bureau shall so certify. The bureau shall collect for each~~
26 ~~certificate the amount prescribed in IC 9-29-2-4.~~

27 ~~(e)~~ **(d)** An operating record maintained under this section:

28 (1) is not admissible as evidence in any action for damages arising
29 out of a motor vehicle accident; and

30 (2) may not include voter registration information.

31 SECTION 6. IC 9-29-2-1 IS AMENDED TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2001]: Sec. 1. **(a)** The fee to obtain:

33 **(1)** a certified copy of a record; **or**

34 **(2) an electronic record;**

35 of the bureau under IC 9-14-3-4 is four dollars (\$4) for each document.
36 This fee is in addition to the uniform copying fee established under
37 IC 5-14-3-8.

38 **(b) The fee imposed by this section does not apply to a law**
39 **enforcement agency and an agency of government.**

40 **(c) The bureau shall give precedence to requests from law**
41 **enforcement agencies and agencies of government for certified**
42 **copies of records.**

43 SECTION 7. IC 9-30-3-15 IS AMENDED TO READ AS
44 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 15. In a proceeding,
45 prosecution, or hearing where the prosecuting attorney must prove that
46 the defendant had a prior conviction for an offense under this title, the
47 relevant portions of a certified computer printout **or electronic copy**
48 **as set forth in IC 9-4-3-4** made from the records of the bureau are
49 admissible as prima facie evidence of the prior conviction. However,
50 the prosecuting attorney must establish that the document identifies the

1 defendant by the defendant's driving license number or by any other
2 identification method utilized by the bureau.
3 SECTION 8. IC 9-29-2-4 IS REPEALED [EFFECTIVE JULY 1,
4 2001].

(Reference is to SB 474 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Public Policy.

GARTON Chairperson